

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERTO MIER GODINEZ,

Defendant.

Case No.: **09-00553-JW**

**ORDER CONTINUING STATUS
CONFERENCE AND EXCLUSION OF TIME
UNDER THE SPEEDY TRIAL ACT.**

FOR THE REASONS SET FORTH ABOVE IN THE STIPULATION BETWEEN THE PARTIES,
IT IS HEREBY ORDERED that the time from November 30, 2009 to January 25, 2009 is hereby
excluded from the time calculations of the Speedy Trial Act, 18 U.S.C. §3161.

The court finds the time from November 30, 2009 to January 25, 2009 excludable from
the Speedy Trial Act requirements of Title 18, United States Code, sections 3161(h)(7)(A) and
3161(h)(7)(B)(iv). The court finds that the time excludable in that the ends of justice served by
granting this continuance of the status conference to January 25, 2009 outweigh the best
interests of the public and the defendant in an earlier trial for the following reasons: defense
counsel requires additional time for the expert, Dr. Alan Wu to complete and provide the report
of his drug re-test findings. For this reason, the court finds that a continuance of the status
conference to January 25, 2009 is necessary to ensure both effective case preparation and the
availability of defense counsel, and denial of such a continuance would unreasonably deny

1 defendant effective case preparation and continuity of counsel pursuant to 18 U.S.C.
2 §§3161(h)(7)(A) and 3161(h)(7)(B)(iv).

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4 Date: November 24, 2009

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6 UNITED STATES DISTRICT JUDGE
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